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P/4076-55

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of

Yiu Ming CHEUNG et al.

Date: November 8, 2006

Serial No.: 10/628,503

Group Art Unit: 2823

Filed: July 28, 2003

Examiner: COLEMAN, William D.

For: APPARATUS AND METHOD FOR THIN DIE DETACHMENT

**Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

REPLY BRIEF PURSUANT TO 37 C.F.R. §41.41

Sir:

This Reply Brief is in response to the Examiner's Answer dated August 18, 2006.

The Examiner has essentially repeated the final rejection in his Answer; the only additional insight into the grounds for the rejection appear in his Response to Argument beginning on page 9. Even this, however, isn't particularly helpful, since the Examiner continues to ignore the fact that neither reference says anything about initiating detachment of the die from the tape by mechanical contact "substantially at the corners".

The Examiner talks about the fact that the word "substantially" is purportedly broad enough to refer to the number of pins, or can be taken to mean "somewhat near the corners". What he fails to address, however, is that Nishiguchi explicitly teaches initiating detachment by radiation, while the claims herein call for mechanical initiation by contact of the tape by the pins. He also ignores the fact that pins 17 shown in Kurosawa's prior art Figure 3C are clearly not substantially at the corners, however broadly the word "substantially" is interpreted. Nor does he address the fact that he admitted this during an interview with applicants' representative, as stated in the Main Brief.

In this context, it should be noted that terminology such as "substantially" can be acceptably definite if "one of ordinary skill in the art would understand what is claimed, in light of the specification" *See: M.P.E.P § 2173.05(b)*. This section goes on to state:

When a term of degree is presented in a claim, first a determination is to be made as to whether the specification provides some standard for measuring that degree. If it does not, a determination is made as to whether one of ordinary skill in the art, in view of the prior art and the status of the art, would be nevertheless reasonably apprised of the scope of the invention.

Here, the specification, a page 6, line 12 through page 7, line 26, provides a detailed exposition of how the term "substantially" is to be interpreted. Moreover, one skilled in the art would clearly understand that "substantially" is intended to be interpreted functionally, i.e., close enough to accomplish the disclosed purpose.

Further in this context, it should be noted that there is no rejection here under 35 U.S.C. 112. Nor, given the details disclosed as cited above, could there properly be such a rejection.

When all is said and done, the fact remains that neither reference teaches initiation of detachment by pins acting "substantially" at the corners, when that term is properly interpreted in light of the specification, and on the basis of a reasonable understanding of a person skilled in the art.

For the foregoing additional reasons, it is respectfully submitted that the final rejection should be reversed and this application passed to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date indicated below.

Lawrence A Hoffman
Name of appellant, assignee or
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Signature
November 8, 2006
Date of Signature

LAH:lac

Respectfully submitted,

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